

REMARKS

Claims 6 – 14 are rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Upon entry of the present amendment, claims 1 – 9 will remain in this application. Claims 6 – 9 are amended and claims 10 – 14 are canceled.

Applicants note with appreciation the allowance of claims 1 – 5. In view of the foregoing amendments and the following remarks, Applicants respectfully submit that all pending claims are in condition for allowance.

Rejections Under 35 U.S.C. § 101

Applicants submit that claims 6 – 9 constitute patentable subject matter under 35 U.S.C. § 101. With regard to claim 6, the Examiner contends that the “computer-readable medium” recited in claims 6 is not limited to a tangible medium. In order to expedite prosecution, Applicants have amended claim 6 to recite a computer-readable storage medium as suggested by Examiner Coleman during a telephone interview with Applicants’ representative on October 3, 2006. The computer-readable storage medium of claim 6 is either an article of manufacture or a machine (or both), which are statutorily recognized categories of patentable inventions under 35 U.S.C. § 101. It is well known in the art that a computer-readable storage medium may be manufactured to include instructions that instruct a computer to perform various operations. An example is a CD-ROM with installed software instructions. Such a computer-readable storage medium is an article of manufacture, which is one of the statutorily recognized categories of patentable inventions. In addition, a computer-readable storage medium such as that recited in claim 6 may also be a machine. For example, the CD-ROM with installed software instructions is also a machine having multiple layers of components that operate together to store digital

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information. Such a machine is also one of the statutorily recognized categories of patentable inventions. For at least these reasons, Applicants submit that claim 6 is directed to an invention having patentable subject matter. Claims 7 – 9 depend from claim 6 and therefore also possess patentable subject matter, for at least the same reasons stated above with respect to claim 6.

Conclusion

Accordingly, it is believed that all pending claims are now in condition for allowance. Applicants therefore respectfully request an early and favorable reconsideration and allowance of this application. If there are any outstanding issues which might be resolved by an interview or an Examiner's amendment, the Examiner is invited to call Applicants' representative at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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